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FM AMEMBASSY KUALA LUMPUR
TO RUEHC/SECSTATE WASHDC PRIORITY 2990
INFO RUCNASE/ASEAN MEMBER COLLECTIVE PRIORITY
RUEHBY/AMEMBASSY CANBERRA PRIORITY 2804
RUEHLO/AMEMBASSY LONDON PRIORITY 0647
RHEHNSC/NSC WASHDC PRIORITY
RHHMUNA/HQ USPACOM HONOLULU HI PRIORITY

UNCLAS KUALA LUMPUR 000590

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E.O. 12958: N/A
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SUBJECT: ANWAR TRIAL UPDATE: PROSECUTION ORDERED TO HAND
OVER EVIDENCE

REF: KUALA LUMPUR 529 -- ANWAR TRIAL PRIMER

1. (SBU) Anwar Ibrahim scored an unexpected minor victory early into his sodomy trial on July 16, when High Court Judge Mohamad Zabidin Mohd Diah ordered the prosecution to turn over previously withheld evidence to Anwar's defense team. The evidence in question includes 9 of 10 items that the defense team requested, including CCTV footage, scientific and medical notes by prosecution experts, and the prosecution's witness list. The one item exempted was the original DNA sample from the victim, which the judge feared could be easily tampered with. Although Judge Zabidin gave the prosecution 10 days to comply with the order, the prosecution has already announced that they will file a stay of execution and an appeal of the order on the morning of July 17.

2. (U) Poloff and POL FSN were in attendance during both days of the trial, which had resumed on July 15 after a delay of one week due to the ill health of Anwar's lead counsel. Notwithstanding the stay and appeal on July 17, the trial will resume on July 24 when Anwar will move to have the case dismissed due to publicized medical reports that the alleged victim was never sodomized.
KEITH